

## **REMARKS/ARGUMENTS**

This Amendment and Response is filed responsive to the Office Action dated 11 August 2008. In the Office Action, Claims 1-26 were rejected. Applicant appreciates the entry of the amendment and remarks filed on 4 June 2008 and the favorable treatment of that submission. Moreover, Applicant appreciates the Office's diligence in identifying art that might arguable be combined with the prior references to arguably disclose or suggest the invention of the present application. While Applicant appreciates the Office's efforts, Applicant respectfully submits that the combined references fail to disclose or suggest the invention described and claimed in the present application. Applicant now presents further amendments to independent Claims 1, 15, and 17 in an effort to further clarify the invention sought to be protected. Applicant respectfully submits that these amendments overcome the rejections of the Office Action and request favorable reconsideration of the amended claims presented herein.

As seen in the above amendments, Claim 1 has been amended to clarify the manner in which the downhole tools are actuated. More specifically, the manner in which the two or more valves adapted to autonomously actuate performance of a set of events by downhole tools is further clarified. Applicant respectfully submits that support for the amendments to Claim 1 (and the remainder of the amended claims) is found at least in paragraphs [0033]-[0042] of the application as filed. The two or more valves in the system of Claim 1 are fluidically coupled to a deployment means to collectively comprise the system. Additionally, each of the valves "independently operates over its designated pressure interval based on applied pressure in the system." As described in numerous places in the specification, fluid pressure is applied to the valves (e.g., the various valve families described as part of the RILV 10) through the deployment means or fluid conduit 7, which is isolated from the annulus and wellbore, except through the valves and tools of the system. Moreover, as recited in amended Claim 1, the valves "autonomously actuate performance of a sequenced set of events ... based on an applied fluid pressure in the system" to the valves. Accordingly, the valves' autonomous actuation is not influenced by downhole well annulus conditions. As described in the present application at least in paragraph [0026], one of the challenges faced in pressure controlled and pressure actuated devices is the need to separate the control pressures from the natural pressures occurring within

the reservoir and/or well annulus. Claim 1 recites that the control and actuation pressures are applied through the system rather than from the well annulus. Additionally, and summarizing Applicant's comments from the prior submission, Applicant notes that the autonomous actuation is based on "an applied fluid pressure" rather than the complex combination of multiple pressure sources and pressurized lines disclosed by Schultz as necessary to effect selection and actuation of its tools.

Turning now to the disclosures of the references asserted in the Office Action, Applicant agrees with the Office that Schultz fails to disclose or otherwise teach two or more valves that are arranged to autonomously actuate the performance of a sequenced set of events. The Office then asserts that McDaniel discloses an autonomous downhole control unit that could be combined with the system of Schultz. Preserving the argument that the two references are not properly combinable and that their combination would not have been obvious for any of the KSR rationale, Applicant respectfully submits that McDaniel simply fails to disclose or suggest a system as recited in Claim 1. McDaniel's downhole control unit is described in paragraphs 28-30 of McDaniel as being initiated or actuated by sensing one or more preset downhole parameters. Further, McDaniel describes the downhole control unit as including a sensor device positioned downhole and configured to actuate a downhole device upon sensing a preset downhole parameter. McDaniel's system is designed to be actuated by reservoir or well annulus conditions, which is exactly the opposite of the objective and features of the system recited in Claim 1 of the present application. McDaniel fails to disclose or otherwise suggest isolating the sensor from the well conditions. Moreover, McDaniel fails to disclose or suggest actuating tools based on applied pressure in a deployment means, tubing string, or other component of the system comprising a BHA rather than merely pressure in the well. McDaniel's system is a responsive system that reacts to downhole conditions. In contrast, the system of Claim 1 is a proactive control system with valves responsive to applied pressure in the system rather than pressure changes that may exist in the well annulus. For at least these reasons, Applicant respectfully submits that Claim 1 is allowable over Schultz and McDaniel and requests withdrawal of the rejection.

Independent Claims 17 and 15 recite, respectively, an apparatus similar in features and function to the system of Claim 1 and a method utilizing valves and systems having features and function similar or identical to the system of Claim 1. In the interest of brevity, Applicant does not here repeat the entirety of the above discussion for each of the independent claims. It is sufficient to note that the amendments to Claims 15 and 17 clarify each of these claims in a manner similar to the amendments of Claim 1 and that the distinctions between Claims 15 and 17 and the cited references are the same. For at least these reasons, Applicant submits that Claims 15 and 17 are allowable and requests withdrawal of the rejections.

Additionally, Applicant notes that dependent Claims 2-14, 16, and 18-26 have not been amended in this submission. Applicant notes that each of these dependent claims incorporates the features and elements of the respective independent claims. Accordingly, each of these dependent claims is believed to be patentable over Schultz and McDaniel for at least the reasons discussed above. Moreover, Applicant respectfully submits that Rytlewski and the other references cited in the Office Action do not add to the disclosure or teaching of Schultz and McDaniel with respect to the autonomous and independent actuation of the sequence of events. For at least these reasons, Applicant respectfully submits that dependent Claims 2-14, 16, and 18-26 are patentable for at least the reasons for which their respective independent Claims are patentable.

Applicant respectfully submits that the rejections of the Office Action have been addressed and rendered moot by the amendments of the present Amendment. Moreover, as described above, Applicant respectfully submits that independent Claims 1, 15, and 17 are patentable for at least the reasons described herein. Additionally, Applicant avers, and reserves for argument at a later time should it become necessary, that it would not have been obvious to try incorporating the system of McDaniel with the system of Schultz.

In this Amendment and Response, Applicant has addressed each and all of the issues raised in the Office Action. Applicant respectfully submits that each of the rejections has been rendered moot by the foregoing amendments. Accordingly, Applicant believes that this application is in condition for allowance. Applicant respectfully requests that the Examiner issue a Notice of Allowance covering the pending claims. If the Examiner has any questions, or if a

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telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

Respectfully submitted,

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